

**PATENT APPLICATION**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: **Shiro SHIBAYAMA et al**

Appln. No.: **Continuation of 09/246,355**

Group Art Unit: 1646

Filed: **February 25, 2002**

Examiner: **Mertz, P.**

For: **A NOVEL POLYPEPTIDE AND DNAs ENCODING IT**



**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The listed documents were either cited by the Examiner or brought to the Examiner's attention by Applicants during prosecution of Parent Application No. 09/246,355, filed February 8, 1999; Grandparent Application No. 08/852,811, filed May 7, 1997; or Great-Grandparent Application No. 08/439,757, filed May 11, 1995. Hence, no additional copies of the references are provided.

The present Information Disclosure Statement is being filed before three months from the application's filing date for an application, and before the mailing date of the first Office Action on the merits. Therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

**INFORMATION DISCLOSURE STATEMENT**  
**CONT of USSN 09/246,355**

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



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Date: February 25, 2002

Substitute for form 1449 A & B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	CONT of USSN 09/246,355
				Confirmation Number	
				Filing Date	February 25, 2002
				First Named Inventor	Shiro SHIBAYAMA et al
				Art Unit	1646
Examiner Name	Mertz, P.				
Attorney Docket Number	Q-68658				
Sheet	1	of	1		

1046 U.S. PTO  
 10/08/2002  
 02/25/02

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		EP	0561172		09/22/1993		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		DeLissert et al, <i>Current Topics Micro. and Immunol.</i> , 184:37-45 (1993)	
		Osborn et al, <i>Cell</i> , 59(6):1203-1211 (1989)	
		Mikayama et al, <i>Proc. Natl. Acad. Sci. USA</i> , 90:10056-10060 (1993)	
		Voet et al, <i>Biochemistry</i> , John Wiley & Sons, Inc., pages 126-128 and 228-234 (1993)	
		Sap et al, <i>Proc. Natl. Acad. Sci., USA</i> , 87:6112-6116 (1990)	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant indicate here if English language Translation is attached.